

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage and first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Name (Print/Type) Wilhelm Albert Palmen Jr. Signature *W. A. Palmen Jr.* Date 06-28-2001

Combined Transmittal and Fee Calculation Sheet

☐ Small Entity ☒ Large Entity

Application Number 09/341,505
Confirmation Number 5221
Filing Date July 12, 1999
First Named Inventor Jackson et al.
Examiner Robinson, H.
Group Art 1653
Attorney Docket No. MEWE005

ENCLOSED:

Claims	No. of claims as filed or after amendment	Most claims previously paid for	# Extra Claims	Rate	Totals
Total					\$ -
Independent					\$ -
Multiple					
Total Extra Claim Fees					\$ -

☐ Extension of time from _____ to _____ Fee

☒ Amendment Under Rule 1.111 (12 pages)

☒ Executed Declaration Pages 3

☒ Other
Clean Version of the Replacement Specification
Marked-Up Version of the Replacement Specification
Exhibit A - Frank et al. (12 NOV. 1998), Nature, Vol. 396:173-177.
Exhibit B - Grawunder et al. (OCT 1998), Molecular Cell, Vol. 2:477-484.
Exhibit C - Riballo et al. (21 JUNE 1999), Current Biology, Vol. 9:699-702

Subtotal \$ -

☐ Information Disclosure Statement

☐ PTO Form 1449 Pages _____
☐ Copies of Cited References
☐ Other _____

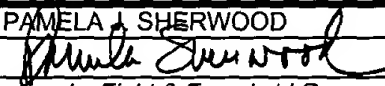
Fee

Subtotal \$0.00

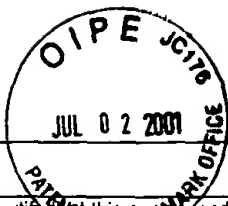
☐ Response to Notice to Comply (with copy of Notice to Comply)

☐ Sequence Listing Certification
☐ Paper Copy of Sequence Listing Pages _____
☐ Diskette in computer-readable format
☐ Other _____

Fee

<input type="checkbox"/> Terminal Disclaimer		Fee	
<input type="checkbox"/> Appeal to Board of Appeals and Appeal Communication to Group			
<input type="checkbox"/> Notice of Appeal	Pages	_____	Fee _____
<input type="checkbox"/> Appeal Brief in Triplicate	Pages	_____	Fee _____
<input type="checkbox"/> Reply Brief	Pages	_____	Fee _____
Subtotal			\$ -
<input type="checkbox"/> Issue Fee PTO 85B		Fee	
<input type="checkbox"/> Advance copies _____		Fee	
<input type="checkbox"/> Submission of Formal Drawings Transmittal with _____ sheets enclosed		Subtotal	
			\$ -
<input type="checkbox"/> Other Enclosures and/or Fees _____		Fee _____	
<input type="checkbox"/> Change of Correspondence Address			
<input checked="" type="checkbox"/> Return Receipt Postcard		TOTAL FEES	
			\$ -
<p>The Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 50-0815. If additional fees are required, including extensions of time, please consider this a petition therefore. A duplicate copy of this transmittal is enclosed.</p>			
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED			
Name (Print/Type)	PAMELA J. SHERWOOD		Registration No. 36,677
Signature			Date 06-28-2001
Firm Name	Bozicevic, Field & Francis LLP	Address	200 Middlefield Road, Suite 200
City	Menlo Park	State	California
Telephone - Direct Dial	650-833-7790	zip	94025
		Facsimile	650-327-3231

Application No. 09/341,505 Attorney Docket No. MEWE005



170
7/12/01

TECH CENTER 1600/2900

RECEIVED

JUL 05 2001

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.			
Typed or Printed Name	Wilhelm Albert Palmen Jr.		
Signature		Date	June 28, 2001

AMENDMENT UNDER 37 C.F.R. §1.111 Address to: Assistant Commissioner for Patents Washington, D.C. 20231	Attorney Docket	MEWE005
	Confirmation No.	5221
	First Named Inventor	Jackson et al.
	Application Number	09/341,505
	Filing Date	July 12, 1999
	Group Art Unit	1653
	Examiner Name	H. Robinson
	Title:	"ASSAYS, AGENTS, THERAPY AND DIAGNOSIS RELATING TO MODULATION OF CELLULAR DNA REPAIR ACTIVITY"

Sir:

This amendment is responsive to the Notice of Non-Compliant Amendment as set forth in the Office Action dated June 11, 2001 for which a One-Month period for response was given making this response due on or before July 11, 2001.

In view of the amendments to the specification and claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

IN THE SPECIFICATION

Please replace the complete specification in the above referenced patent application with the specification attached hereto. Pursuant to the requirements of CFR § 1.121(b)(3), applicants are submitting herewith a substitute specification in compliance with CFR § 1.125(b) and a separate marked-up version of the substitute specification, showing all changes relative to the previous version of the specification. Each are captioned accordingly. No new matter is added.

CLEAN VERSION OF CLAIMS AS AMENDED

1. (Amended) An assay method for an agent which modulates the binding between XRCC4 (XR-1 Cell Complementing 4) and DNA ligase IV, or XRCC4 and DNA-PK_{CS}/Ku (DNA-dependent Protein Kinase catalytic subunit/Ku), or XRCC4, DNA ligase IV and DNA-PK_{CS}/Ku, the method comprising the steps of:
- (i) bringing into contact a substance which comprises XRCC4 or a peptide fragment of XRCC4